

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Brian C. Nicholas
KML LAW GROUP, P.C.
701 Market Street, Suite 5000
Philadelphia, PA 19106
U.S. Bank Trust National Association, not in its
individual capacity but solely as owner trustee for
RCF 2 Acquisition Trust c/o U.S. Bank Trust National
Association

In Re:
Terry L. Kimmelman
Brett S. Kimmelman



Order Filed on July 26, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No: 19-11786 JNP

Chapter: 13

Hearing Date: 7/26/2022

Judge: Jerrold N. Poslusny Jr.

ORDER VACATING STAY

The relief set forth on the following page is hereby ordered **ORDERED**.

DATED: July 26, 2022

A handwritten signature in black ink, appearing to read "Jerrold N. Poslusny, Jr.", is written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

Upon the motion of U.S. Bank Trust National Association, not in its individual capacity but solely as owner trustee for RCF 2 Acquisition Trust c/o U.S. Bank Trust National Association, under Bankruptcy Code section 362(a) for relief from the automatic stay as to certain property as hereinafter set forth, and for cause shown, it is

ORDERED that the automatic stay is vacated to permit the movant, to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

☒ Real Property More Fully Described as:

**Land and premises commonly known as 48 Chancellor Park Drive, Mays
Landing NJ 08330**

☐ Personal Property More Fully Describes as:

It is further ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject Mortgage and pursue its State Court remedies including, but not limited to, taking the Property to Sheriff's Sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the Property at Sheriff's Sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the Property.

It is further ORDERED that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

The movant shall serve this order on the debtor, any trustee and any other party who entered an appearance on the motion.

rev. 7/12/16

In re:
Brett S. Kimmelman
Terry L. Kimmelman
Debtors

Case No. 19-11786-JNP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1
Date Rcvd: Jul 26, 2022

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 28, 2022:

Recip ID	Recipient Name and Address
db/jdb	+ Brett S. Kimmelman, Terry L. Kimmelman, 48 Chancellor Park Drive, Mays Landing, NJ 08330-2049

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 28, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 26, 2022 at the address(es) listed below:

Name	Email Address
Andrew M. Lubin	on behalf of Creditor U.S. Bank Trust National Association as Trustee for GIFM Holdings Trust nj-ecfmail@mwc-law.com alubin@milsteadlaw.com
Brian C. Nicholas	on behalf of Creditor U.S. Bank Trust National Association not in its individual capacity but solely as owner trustee for RCF 2 Acquisition Trust c/o U.S. Bank Trust National Association bnicholas@kmlawgroup.com, bkgroup@kmlawgroup.com
Daniel S. Shehata	on behalf of Attorney Bayport Condominium Association Inc. Daniel.Shehata@law.njoag.gov
Denise E. Carlon	on behalf of Creditor Pretium Mortgage Credit Partners I Loan Acquisition LP dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Francis J. McGovern, Jr.	on behalf of Attorney Chancellor Place Association Inc. collections@theassociationlawyers.com

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Date Rcvd: Jul 26, 2022

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Total Noticed: 1

Harold N. Kaplan

on behalf of Creditor WILMINGTON SAVINGS FUND SOCIETY FSB, D/B/A CHRISTIANA TRUST, NOT
INDIVIDUALLY BUT AS TRUSTEE FOR HILDALE TRUST hkaplan@rasnj.com, informationathnk@aol.com

Harold N. Kaplan

on behalf of Creditor DLJ Mortgage Capital Inc. hkaplan@rasnj.com, informationathnk@aol.com

Isabel C. Balboa

ecfmail@standingtrustee.com summarymail@standingtrustee.com

Joseph Clemente

on behalf of Attorney Chancellor Place Association Inc. collections@theassociationlawyers.com

Lynn Therese Nolan

on behalf of Creditor Fay Servicing LLC ecfnotices@grosspolowy.com, lnolan@grosspolowy.com

Michael J. Milstead

on behalf of Creditor DLJ Mortgage Capital Inc. michael@milsteadlaw.com

Robert A. Loefflad

on behalf of Joint Debtor Terry L. Kimmelman rloefflad@ffhlaw.com ghuie@ffhlaw.com

Robert A. Loefflad

on behalf of Debtor Brett S. Kimmelman rloefflad@ffhlaw.com ghuie@ffhlaw.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 14